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Attorneys for Defendant
Genender International, Inc.

08CV 2352
JUDGE KENNELLY
MAGISTRATE JUDGE NOLAN

FILED

APR 25 2008

MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SKAGEN DESIGNS, LTD., a
Nevada corporation,

Plaintiff,

v.

GENENDER INTERNATIONAL, INC.,
an Illinois corporation,

Defendant.

Case No. 3:07-cv-00509-ECR-VPC

**STIPULATION
AND ORDER TO TRANSFER**

On April 14, 2008, the Honorable Judge John F. Grady of the U.S. District Court for the Northern District of Illinois denied Skagen's Designs, Ltd.'s ("Skagen's") motion to dismiss a first-filed action pending in that District styled Genender International, Inc. v. Skagen Designs, Ltd., Case No. 07C 5993. As a result, Skagen and Genender International, Inc. ("Genender"), through undersigned counsel, hereby agree and stipulate that this Nevada action should be transferred in its entirety to the U.S. District Court for the Northern District of Illinois.

{00922160.1}

As a result, the parties stipulate that:

1. Pursuant to 28 U.S.C. § 1404(a), this case shall be transferred in its entirety to the U.S. District Court for the Northern District of Illinois;
2. This Stipulation shall not be deemed a waiver of any rights belonging to any party hereto; and
3. Each party shall bear its own attorneys' fees and costs relating to this Stipulation and the Nevada action.

IT IS SO STIPULATED:

Dated: 4/17/08

Dated: 4/17/08

By: [Signature]

By: [Signature]

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Reno, NV 89501

Attorneys for Plaintiff
Skagen Designs, Ltd.

Attorneys for Defendant
Genender International, Inc.

The Clerk shall close this case as far as this District is concerned.

IT IS SO ORDERED:

Edward C. Reed.
UNITED STATES DISTRICT JUDGE

Dated: April 18, 2008

CERTIFIED TO BE A TRUE COPY
Clerk, United States District Court

By: [Signature]
Deputy Clerk



(00922150.1)

**UNITED STATES DISTRICT COURT
OFFICE OF THE CLERK
DISTRICT OF NEVADA
BRUCE R. THOMPSON U.S. COURTHOUSE
AND FEDERAL BUILDING
400 SOUTH VIRGINIA STREET #301
RENO, NEVADA 89501
(775) 686-5800**

**LANCE S. WILSON
DISTRICT COURT EXECUTIVE/CLERK**

**JAKE HERB
CHIEF DEPUTY, RENO**

**CYNTHIA K. JENSEN
CHIEF DEPUTY, LAS VEGAS**

April 18, 2008

Clerk's Office
U.S. District Court
Northern District of Illinois
219 South Dearborn Street
Chicago, IL 60604

RECEIVED

APR 25 2008

**MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT**

Re: Skagen Designs, Ltd. vs. Genender International, Inc.
District of Nevada Case No. 3:07-cv-00509-ECR-VPC.

Please be advised that the above-entitled action has been transferred to your District for all further proceedings. Enclosed are a certified copy of the order of transfer and a copy of the docket sheet.

Effective January 1, 2006, the District of Nevada has mandated electronic filing via the Case Management and Electronic Case Filing system (CM/ECF). All proceedings filed after that date may be accessed via PACER and our website at www.nvd.uscourts.gov.

Please acknowledge receipt of these documents on the enclosed duplicate of this letter.

Yours truly,

LANCE S. WILSON, CLERK

By:

Daniel R. Morgan
Deputy Clerk

Enclosures

Received by: _____

**08CV 2352
JUDGE KENNELLY
MAGISTRATE JUDGE NOLAN**

ASSIGNED CASE #: _____

**United States District Court
District of Nevada (Reno)
CIVIL DOCKET FOR CASE #: 3:07-cv-00509-ECR-VPC**

Skagen Designs, Ltd. v. Genender International,
Inc.

Assigned to: Judge Edward C. Reed, Jr
Referred to: Magistrate Judge Valerie P. Cooke
Cause: 15:1051 Trademark Infringement

Date Filed: 10/24/2007
Jury Demand: Plaintiff
Nature of Suit: 840 Trademark
Jurisdiction: Federal Question

Plaintiff

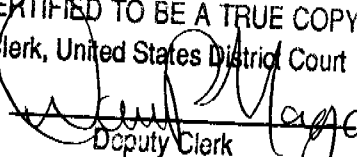
Skagen Designs, Ltd.

represented by **Michael D Rounds**

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Email:
mrounds@watsonrounds.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

FILED
APR 25 2008
MICHAEL W. DOBBINS
CLERK, U.S. DISTRICT COURT

CERTIFIED TO BE A TRUE COPY
Clerk, United States District Court
By  Deputy Clerk



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V.

Defendant

Genender International, Inc.

represented by **Art C Cody**

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JUDGE KENNELLY
MAGISTRATE JUDGE NOLAN

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Email:

fedreno@lionelsawyer.com

TERMINATED: 02/25/2008

ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
10/24/2007	<u>1</u>	COMPLAINT (<i>Jury Demand</i>) against Genender International, Inc. (Filing fee \$ 350 receipt number 706852), filed by Skagen Designs, Ltd.. Certificate of Interested Parties due by 11/3/2007. Proof of service due by 2/21/2008. (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Civil Cover Sheet # <u>6</u> Summons)(Francis, Matthew) (Entered: 10/24/2007)
10/25/2007	<u>2</u>	Summons Issued as to Genender International, Inc.. (JC) (Entered: 10/25/2007)
10/25/2007	<u>1</u>	Case assigned to District Judge Edward C. Reed, Jr and Magistrate Judge Valerie P. Cooke. (WJ) (Entered: 10/25/2007)
11/02/2007	<u>3</u>	SUMMONS Returned Executed by Skagen Designs, Ltd.. Genender International, Inc. served on 10/26/2007, answer due 11/15/2007. (Francis, Matthew) (Entered: 11/02/2007)

11/02/2007	<u>4</u>	CERTIFICATE of Interested Parties by Plaintiff Skagen Designs, Ltd.. There are no known interested parties other than those participating in the case. (Francis, Matthew) (Entered: 11/02/2007)
11/05/2007	1 <u>5</u>	MOTION to Dismiss by Defendant Genender International, Inc.. Responses due by 11/23/2007. (Attachments: # <u>1</u> Declaration Declaration of Kenneth Genender# <u>2</u> Exhibit Exhibit A# <u>3</u> Declaration Declaration of Art Cody# <u>4</u> Exhibit Exhibit A# <u>5</u> Exhibit Exhibit B# <u>6</u> Exhibit Exhibit C# <u>7</u> Exhibit Exhibit D# <u>8</u> Exhibit Exhibit E# <u>9</u> Exhibit Exhibit F# <u>10</u> Exhibit Exhibit G# <u>11</u> Exhibit Exhibit G Part 2# <u>12</u> Exhibit Exhibit G Part 3# <u>13</u> Exhibit Exhibit H# <u>14</u> Exhibit Exhibit I) (Bowen, Dan) (Entered: 11/05/2007)
11/06/2007	<u>6</u>	NOTICE of Corrected Image/Document re <u>5</u> MOTION to Dismiss by Defendant Genender International, Inc.. (Service of corrected image is attached). (Bowen, Dan) (Entered: 11/06/2007)
11/06/2007	<u>7</u>	NOTICE of Corrected Image/Document re <u>5</u> MOTION to Dismiss by Defendant Genender International, Inc.. (Service of corrected image is attached). (Bowen, Dan) (Entered: 11/06/2007)
11/06/2007	<u>8</u>	NOTICE of Corrected Image/Document re <u>5</u> MOTION to Dismiss by Defendant Genender International, Inc.. Corrected Exhibit E (Service of corrected image is attached). (Bowen, Dan) Modified on 11/6/2007 to reflect what is being corrected (Cotter, Jennifer). (Entered: 11/06/2007)
11/13/2007	<u>9</u>	AO 120 - REPORT on the filing or determination of an action regarding a patent or trademark. E-mailed to the US Patent and Trademark Office. (KL) (Entered: 11/13/2007)
11/19/2007	<u>10</u>	STIPULATION re <u>6</u> Notice of Corrected Image/Document, <u>8</u> Notice of Corrected Image/Document, <u>5</u> MOTION to Dismiss, <u>7</u> Notice of Corrected Image/Document ; <i>Stipulation for Extension of Time to Oppose Defendant's Motion to Dismiss and Alternative Motion to Stay (First Request)</i> by Plaintiff Skagen Designs, Ltd.. (Francis, Matthew) (Entered: 11/19/2007)
11/19/2007	<u>11</u>	ORDER ON STIPULATION for Extension of Time to Oppose <u>5</u> MOTION to Dismiss. Ref <u>10</u> Stipulation. Responses due by 12/7/2007. Signed by Judge Edward C. Reed Jr. on 11/19/07.

		(Copies have been distributed pursuant to the NEF - JC) (Entered: 11/20/2007)
11/20/2007	● <u>12</u>	VERIFIED PETITION for Permission to Practice Pro Hac Vice and DESIGNATION of Local Counsel submitted by attorney Art C. Cody, (Filing fee \$ 175 receipt number 728332) by Defendant Genender International, Inc.. (Bowen, Dan) (Entered: 11/20/2007)
11/21/2007	● <u>13</u>	VERIFIED PETITION - ORDER GRANTING <u>12</u> Verified Petition for Permission to Practice Pro Hac Vice for Attorney Art C. Cody for Genender International, Inc. and approving Designation of Local Counsel, Dan C. Bowen. Signed by Judge Edward C. Reed Jr. on 11/20/2007. (Copies have been distributed pursuant to the NEF - KL) (Entered: 11/21/2007)
12/07/2007	● <u>14</u>	RESPONSE to <u>5</u> MOTION to Dismiss ; filed by Plaintiff Skagen Designs, Ltd.. <i>Opposition to Defendant's Motion to Dismiss, and Alternative Motion to Stay; Memorandum of Points and Authorities in Support Thereof</i> Replies due by 12/21/2007. (Attachments: # <u>1</u> Exhibit A Pt 1# <u>2</u> Exhibit A Pt 2# <u>3</u> Exhibit A Pt 3)(Francis, Matthew) (Entered: 12/07/2007)
12/17/2007	● <u>15</u>	STIPULATION re <u>14</u> Response to Motion to Dismiss, ; <i>Stipulation for Extension of Time to Reply to Plaintiff's Opposition to Defendant's Motion to Dismiss and Alternative Motion to Stay</i> by Defendant Genender International, Inc.. (Bowen, Dan) (Entered: 12/17/2007)
12/18/2007	● <u>16</u>	ORDER ON <u>15</u> STIPULATION : D Genender International Inc's Reply to <u>14</u> Response to <u>5</u> Motion to Dismiss, due by 1/11/2008. Signed by Judge Edward C. Reed Jr. on 12/17/07. (Copies have been distributed pursuant to the NEF - KO) (Entered: 12/18/2007)
12/21/2007	● <u>17</u>	SUPPLEMENT to <u>5</u> MOTION to Dismiss ; <i>or, in the Alternative, to Stay this Action in Favor of a First-Filed Parallel Action in the Northern District of Illinois</i> by Defendant Genender International, Inc.. (Attachments: # <u>1</u> Declaration Declaration of Art C. Cody# <u>2</u> Exhibit Exhibits to Declaration of Art C. Cody)(Bowen, Dan) (Entered: 12/21/2007)
12/26/2007	● <u>18</u>	Emergency MOTION to Compel <i>Plaintiff's Emergency Motion to Compel Defendant's Compliance with Fed. R. Civ. P. 26(b); Memorandum of Points and Authorities in Support Thereof</i> by

		Plaintiff Skagen Designs, Ltd.. Responses due by 1/13/2008. (Attachments: # <u>1</u> Declaration of Matthew Francis# <u>2</u> Exhibits A-B)(Rounds, Michael) (Entered: 12/26/2007)
01/02/2008	● <u>19</u>	MOTION to Amend/Correct Complaint <i>Plaintiff's Motion for Leave to Amend; Memorandum of Points and Authorities in Support Thereof</i> by Plaintiff Skagen Designs, Ltd.. Responses due by 1/20/2008. (Attachments: # <u>1</u> Declaration of Carla Ousby# <u>2</u> Motion for Leave to Amend Exh A, First Amended Complaint# <u>3</u> First Amended Complaint Exh A# <u>4</u> First Amended Complaint Exh B# <u>5</u> First Amended Complaint Exh C-I# <u>6</u> First Amended Complaint Exh C-II# <u>7</u> First Amended Complaint Exh C-III# <u>8</u> First Amended Complaint Exh C-IV# <u>9</u> First Amended Complaint Exh C-V# <u>10</u> First Amended Complaint Exh C-VI# <u>11</u> First Amended Complaint Exh D# <u>12</u> Exhibit Motion for Leave to Amend Exh B)(Francis, Matthew) (Entered: 01/02/2008)
01/08/2008	● <u>20</u>	RESPONSE to <u>17</u> Supplement, ; <i>Plaintiff's Opposition to Defendant's Supplement to Its <u>5</u> Motion to Dismiss and Alternative Motion to Stay</i> filed by Plaintiff Skagen Designs, Ltd.. (Francis, Matthew) Modified on 1/9/2008 add links (Julian, Wayne). (Entered: 01/08/2008)
01/11/2008	● <u>21</u>	REPLY to Response to <u>5</u> MOTION to Dismiss ; filed by Defendant Genender International, Inc.. <i>or, in the Alternative, to Stay the Case in Favor of a First-Filed Parallel Action in Northern District of Illinois</i> (Bowen, Dan) (Entered: 01/11/2008)
01/11/2008	● <u>22</u>	DECLARATION of ART C. CODY re <u>5</u> MOTION to Dismiss ; filed by Defendant Genender International, Inc.. <i>in Support of Reply to Response, or in the Alternative, to Stay the Case in Favor of a First-Filed Parallel Action in the Northern District of Illinois</i> (Attachments: # <u>1</u> Exhibit A# <u>2</u> Exhibit B# <u>3</u> Exhibit C# <u>4</u> Exhibit D# <u>5</u> Exhibit E# <u>6</u> Exhibit F# <u>7</u> Exhibit G# <u>8</u> Exhibit H# <u>9</u> Exhibit I)(Bowen, Dan) (Entered: 01/11/2008)
01/11/2008	● <u>23</u>	CERTIFICATE OF SERVICE for Reply to Response to Motion to Dismiss, or in the Alternative, to Stay the Case in Favor of First-Filed Parallel Action in Northern District of Illinois and Declaration of Art C. Cody in Support by Defendant Genender International, Inc. re <u>22</u> Declaration, <u>21</u> Reply to Response to Motion. (Bowen, Dan) (Entered: 01/11/2008)

		01/11/2008)
01/14/2008	●24	MINUTE ORDER IN CHAMBERS of the Honorable Valerie P. Cooke, U.S. Magistrate Judge, on 1/14/2008. By Deputy Clerk: LGM. A Motion Hearing regarding the plaintiff's emergency motion to compel defendant's compliance <u>18</u> is set for 2/21/2008 02:00 PM in Reno Courtroom 1 before Magistrate Judge Valerie P. Cooke. IT IS ORDERED that out-of-state counsel shall be allowed to appear telephonically for this hearing and shall notify Lisa Mann at (775)686-5653 two (2) days prior with the telephone number at which he can be reached for the hearing.(no image attached) (Copies have been distributed pursuant to the NEF - LGM) (Entered: 01/14/2008)
01/14/2008	●25	RESPONSE to <u>18</u> Emergency MOTION to Compel Plaintiff's Emergency Motion to Compel Defendant's Compliance with Fed. R. Civ. P. 26(b); Memorandum of Points and Authorities in Support ThereofEmergency MOTION to Compel Plaintiff's Emergency Motion to Compel Defendant's Compliance with Fed. R. Civ. P. 26(b); Memorandum of Points and Authorities in Support Thereof; filed by Defendant Genender International, Inc.. Replies due by 1/28/2008. (Attachments: # <u>1</u> Declaration Declaration of Art Cody# <u>2</u> Exhibit A to Declaration of Art Cody# <u>3</u> Exhibit B to Declaration of Art Cody# <u>4</u> Exhibit C to Declaration of Art Cody# <u>5</u> Exhibit D to Declaration of Art Cody# <u>6</u> Exhibit E to Declaration of Art Cody# <u>7</u> Declaration Declaration of Douglas Miro)(Bowen, Dan) (Entered: 01/14/2008)
01/22/2008	●26	REPLY to Response to <u>5</u> MOTION to Dismiss ; filed by Defendant Genender International, Inc.. Reply to Plaintiff's Response in Opposition to Defendant's Supplement to it's Motion to Dismiss and Alternative Motion to Dismiss (Attachments: # <u>1</u> Declaration of Art Cody# <u>2</u> Exhibit A to Declaration of Art Cody# <u>3</u> Exhibit B to Declaration of Art Cody# <u>4</u> Exhibit C to Declaration of Art Cody# <u>5</u> Exhibit D to Declaration of Art Cody# <u>6</u> Exhibit E to Declaration of Art Cody)(Bowen, Dan) (Entered: 01/22/2008)
01/22/2008	●27	RESPONSE to <u>19</u> MOTION to Amend/Correct Complaint Plaintiff's Motion for Leave to Amend; Memorandum of Points and Authorities in Support Thereof; filed by Defendant Genender International, Inc.. Replies due by 2/5/2008. (Attachments: # <u>1</u> Declaration of Art Cody)(Bowen, Dan)

		(Entered: 01/22/2008)
01/28/2008	● <u>28</u>	REPLY to Response to <u>18</u> Emergency MOTION to Compel Plaintiff's Emergency Motion to Compel Defendant's Compliance with Fed. R. Civ. P. 26(b); Memorandum of Points and Authorities in Support Thereof; Emergency MOTION to Compel Plaintiff's Emergency Motion to Compel Defendant's Compliance with Fed. R. Civ. P. 26(b); Memorandum of Points and Authorities in Support Thereof; filed by Plaintiff Skagen Designs, Ltd.. Plaintiff's Reply in Support of Emergency Motion to Compel Defendant's Compliance With Fed. R. Civ. P. 26(f) (Francis, Matthew) (Entered: 01/28/2008)
01/30/2008	● <u>29</u>	REPLY to Response to <u>19</u> MOTION to Amend/Correct Complaint Plaintiff's Motion for Leave to Amend; Memorandum of Points and Authorities in Support Thereof; filed by Plaintiff Skagen Designs, Ltd.. Plaintiff's Reply in Support of Motion for Leave to Amend (Francis, Matthew) (Entered: 01/30/2008)
02/21/2008	● <u>30</u>	NOTICE by Defendant Genender International, Inc. of Substitution of Counsel (Granier, Laura) (Entered: 02/21/2008)
02/22/2008	● <u>31</u>	MINUTE ORDER IN CHAMBERS of the Honorable Magistrate Judge Valerie P. Cooke, on 2/22/2008. By Deputy Clerk: LGM. Pursuant to the request of the Court, the motion hearing regarding the plaintiff's emergency motion to compel defendant's compliance <u>18</u> set for 2/21/2008 at 2:00 PM was VACATED. Counsel were notified telephonically. The plaintiff's motion <u>18</u> is now set for hearing on 2/27/2008 09:00 AM in Reno Courtroom 1 before Magistrate Judge Valerie P. Cooke. Out-of-state counsel shall be allowed to appear telephonically for this hearing and shall notify Lisa Mann at (775)686-5653 two (2) days prior with the telephone number at which he can be reached for the hearing. IT IS SO ORDERED. (no image attached) (Copies have been distributed pursuant to the NEF - LGM) (Entered: 02/22/2008)
02/25/2008	● <u>32</u>	ORDER GRANTING <u>30</u> Notice, substitution of counsel. Attorney Dan C. Bowen for Genender International, Inc. added. Attorney Laura K Granier terminated. Signed by Magistrate Judge Valerie P. Cooke on 2/22/08. (Copies have been distributed pursuant to the NEF - KO) (Entered: 02/26/2008)

02/27/2008	●33	MINUTES OF PROCEEDINGS - Motion Hearing held on 2/27/2008 before Magistrate Judge Valerie P. Cooke. Crtrm Administrator: LGM; Pla Counsel: <i>Matthew Francis</i> ; Def Counsel: <i>Dan Bowen and (Telephonically) Art Cody, Robert Faber, and Douglas Miro</i> ; Court Reporter/FTR #: 9:01:05 - 9:40:44; Time of Hearing: 9:01 a.m.; Courtroom: 1; The Court addresses the parties regarding the purpose of this hearing. The parties present their respective arguments regarding the facts and merits of the plaintiff's emergency motion to compel 18. IT IS ORDERED that plaintiff's emergency motion to compel defendant's compliance with Fed.R.Civ.P. 26(f) 18 is GRANTED. The parties are directed to hold a Fed.R.Civ.P. 26 (f) conference no later than 3/18/2008. See the attached order for specifications. (Copies have been distributed pursuant to the NEF - LGM) (Entered: 03/02/2008)
03/12/2008	●34	TRANSCRIPT of Proceedings: 33 Order on Motion to Compel,,, Motion Hearing,,, held on 2/27/2008 before Judge Valerie P. Cooke. Court Reporter: Donna Davidson. (no image attached) (PM) (Entered: 03/12/2008)
03/25/2008	●35	STIPULATION (<i>Proposed Stipulated Discovery Plan and Scheduling Order; Special Scheduling Review Requested by Plaintiff Skagen Designs, Ltd..</i> (Francis, Matthew) (Entered: 03/25/2008)
03/28/2008	●36	SCHEDULING ORDER. <i>Completion of Expert Discovery due by 12/18/2008; Deadline for filing of dispositive motions due by 1/20/2009; Final Pretrial Order due by 2/16/2009.</i> Signed by Magistrate Judge Valerie P. Cooke on 3/27/08. (Copies have been distributed pursuant to the NEF - KO) (Entered: 03/31/2008)
04/17/2008	●37	STIPULATION [<i>Proposed</i>] <i>Stipulation and Order to Transfer</i> by Plaintiff Skagen Designs, Ltd.. (Francis, Matthew) (Entered: 04/17/2008)
04/17/2008	●38	ORDER GRANTING 19 Motion for Leave to Amend. FURTHER ORD that P shall file the Amended Complaint within 20 days. Signed by Judge Edward C. Reed, Jr on 4/17/2008. (Copies have been distributed pursuant to the NEF - KL) (Entered: 04/18/2008)
04/18/2008	●39	ORDER ON 37 STIPULATION : This case shall be transferred in its entirety to the U.S. District Court for the

		Northern District of Illinois. The Clerk shall close this case as far as this District is concerned. Signed by Judge Edward C. Reed, Jr on 4/18/2008. (Copies have been distributed pursuant to the NEF - DRM) (Entered: 04/18/2008)
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